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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF VIRGINIA

CHAPTER 13 PLAN AND RELATED MOTIONS

Name of Debtor	r(s): Julie Ann Wilson	Case No: 10-36927-DOT
This plan, dated	October 6, 2010 , is:	

_

the first Chapter 13 plan filed in this case.
 a modified Plan, which replaces the
 □confirmed or □unconfirmed Plan dated.

Date and Time of Modified Plan Confirming Hearing:

Place of Modified Plan Confirmation Hearing:

The Plan provisions modified by this filing are:

Creditors affected by this modification are:

NOTICE: YOUR RIGHTS WILL BE AFFECTED. You should read these papers carefully. If you oppose any provision of this Plan, or if you oppose any included motions to (i) value collateral, (ii) avoid liens, or (iii) assume or reject unexpired leases or executory contracts, you MUST file a timely written objection.

This Plan may be confirmed and become binding, and the included motions in paragraphs 3, 6, and 7 to value collateral, avoid liens, and assume or reject unexpired leases or executory contracts may be granted, without further notice or hearing unless a written objection is filed not later than seven (7) days prior to the date set for the confirmation hearing and the objecting party appears at the confirmation hearing. If no objections are timely filed, a confirmation hearing will NOT be held.

The debtor(s)' schedules list assets and liabilities as follows:

Total Assets: \$349,209.00

Total Non-Priority Unsecured Debt: \$113,100.00

Total Priority Debt: **\$0.00**Total Secured Debt: **\$331,653.00**

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- 1. Funding of Plan. The debtor(s) propose to pay the trustee the sum of \$550.00 Monthly for 60 months. Other payments to the Trustee are as follows: NONE . The total amount to be paid into the plan is \$ 33,000.00 .
- 2. **Priority Creditors.** The Trustee shall pay allowed priority claims in full unless the creditor agrees otherwise.
 - A. Administrative Claims under 11 U.S.C. § 1326.
 - 1. The Trustee will be paid the percentage fee fixed under 28 U.S.C. § 586(e), not to exceed 10%, of all sums disbursed except for funds returned to the debtor(s).
 - 2. Debtor(s)' attorney will be paid \$ __2,300.00 balance due of the total fee of \$ __3,000.00 concurrently with or prior to the payments to remaining creditors.
 - B. Claims under 11 U.S.C. §507.

The following priority creditors will be paid by deferred cash payments pro rata with other priority creditors or in monthly installments as below, except that allowed claims pursuant to 11 U.S.C. § 507(a)(1) will be paid prior to other priority creditors but concurrently with administrative claims above:

Creditor	Type of Priority	Estimated Claim	Payment and Term
-NONE-			

- 3. Secured Creditors: Motions to Value Collateral ("Cramdown"), Collateral being Surrendered, Adequate Protection Payments, and Payment of certain Secured Claims.
 - A. Motions to Value Collateral (other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) or by the final paragraph of 11 U.S.C. § 1325(a)). Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion to value collateral as set forth herein.

This section deals with valuation of certain claims secured by real and/or personal property, other than claims protected from "cramdown" by 11 U.S.C. § 1322(b)(2) [real estate which is debtor(s)' principal residence] or by the final paragraph of 11 U.S.C. § 1325(a) [motor vehicles purchased within 910 days or any other thing of value purchased within 1 year before filing bankruptcy], in which the replacement value is asserted to be less than the amount owing on the debt. Such debts will be treated as secured claims only to the extent of the replacement value of the collateral. That value will be paid with interest as provided in sub-section D of this section. You must refer to section 3(D) below to determine the interest rate, monthly payment and estimated term of repayment of any "crammed down" loan. The deficiency balance owed on such a loan will be treated as an unsecured claim to be paid only to the extent provided in section 4 of the Plan. The following secured claims are to be "crammed down" to the following values:

Creditor	Collateral	Purchase Date	Est Debt Bal.	Replacement Value
Red Crown	2007 Honda Accord with 53,000 miles	10/2007	15,500.00	14,400.00

B. Real or Personal Property to be Surrendered.

Upon confirmation of the Plan, or before, the debtor(s) will surrender his/her/their interest in the collateral securing the claims of the following creditors in satisfaction of the secured portion of such creditors' allowed claims. To the extent that the collateral does not satisfy the claim, any timely filed deficiency claim to which the creditor is entitled may be paid as a non-priority unsecured claim. Confirmation of the Plan shall terminate the automatic stay as to the interest of the debtor(s) and the estate in the collateral.

CreditorCollateral DescriptionEstimated ValueEstimated Total ClaimChase Bank Mortgage15100 Tomahawk Ridge Drive
Midlothian, VA 23112321,000.00317,253.00

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C. Adequate Protection Payments.

The debtor(s) propose to make adequate protection payments required by 11 U.S.C. § 1326(a) or otherwise upon claims secured by personal property, until the commencement of payments provided for in sections 3(D) and/or 6(B) of the Plan, as follows:

CreditorCollateral DescriptionAdeq. Protection
Monthly PaymentTo Be Paid ByRed Crown2007 Honda Accord with 53,000 miles155.00Trustee

Any adequate protection payment upon an unexpired lease of personal property assumed by the debtor(s) pursuant to section 6(B) of the Plan shall be made by the debtor(s) as required by 11 U.S.C. § 1326(a)(1)(B) (payments coming due after the order for relief).

D. Payment of Secured Claims on Property Being Retained (except only those loans provided for in section 5 of the Plan):

This section deals with payment of debts secured by real and/or personal property [including short term obligations, judgments, tax liens and other secured debts]. After confirmation of the Plan, the Trustee will pay to the holder of each allowed secured claim, which will be either the balance owed on the indebtedness or, where applicable, the collateral's replacement value as specified in sub-section A of this section, whichever is less, with interest at the rate provided below, the monthly payment specified below until the amount of the secured claim has been paid in full. Upon confirmation of the Plan, the valuation and interest rate shown below will be binding unless a timely written objection to confirmation is filed with and sustained by the Court.

Creditor Creditor Collateral Approx. Bal. of Debt or "Crammed Down" Value Red Crown Down" Value Crammed Down" Value Accord with 53,000 miles Accord With 54,000 miles Accord With 54,000 miles Accord With 54,000 miles Accord With 54,000 miles Accor

E. Other Debts.

Debts which are (i) mortgage loans secured by real estate which is the debtor(s)' primary residence, or (ii) other long term obligations, whether secured or unsecured, to be continued upon the existing contract terms with any existing default in payments to be cured pursuant to 11 U.S.C. § 1322(b)(5), are provided for in section 5 of the Plan.

4. Unsecured Claims.

- A. Not separately classified. Allowed non-priority unsecured claims shall be paid pro rata from any distribution remaining after disbursement to allowed secured and priority claims. Estimated distribution is approximately ___9
 %. The dividend percentage may vary depending on actual claims filed. If this case were liquidated under Chapter 7, the debtor(s) estimate that unsecured creditors would receive a dividend of approximately ___0
 %.
- B. Separately classified unsecured claims.

<u>Creditor</u> <u>Basis for Classification</u> <u>Treatment</u>

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5.	Mortgage Loans Secured by Real Property Constituting the Debtor(s)' Primary Residence; Other Long Term
	Payment Obligations, whether secured or unsecured, to be continued upon existing contract terms; Curing of any
	existing default under 11 U.S.C. § 1322(b)(5).

A. Debtor(s) to make regular contract payments; arrears, if any, to be paid by Trustee. The creditors listed below will be paid by the debtor(s) pursuant to the contract without modification, except that arrearages, if any, will be paid

	by the Trustee either pro rata with other secured interest unless an interest rate is designated below provided for in the loan agreement.	claims or on a f	ixed monthly b	asis as indi	cated below, w	rithout
Creditor -NONE-	<u>Collateral</u>	Regular Contract Payment	Estimated Arrearage	Arrearage Interest <u>Rate</u>	Estimated Cure Period	Monthly Arrearage <u>Payment</u>
В.	B. Trustee to make contract payments and cure arrears, if any. The Trustee shall pay the creditors listed below the regular contract monthly payments that come due during the period of this Plan, and pre-petition arrearages on such debts shall be cured by the Trustee either pro rata with other secured claims or with monthly payments as set forth below.					ges on such
Creditor -NONE-	<u>Collateral</u>	Regular Contract Payment	Estimated Arrearage	Interest Rate	Term for Arrearage	Monthly Arrearage <u>Payment</u>
С.	C. Restructured Mortgage Loans to be paid fully during term of Plan. Any mortgage loan against real estate constituting the debtor(s)' principal residence upon which the last scheduled contract payment is due before the final payment under the Plan is due shall be paid by the Trustee during the term of the Plan as permitted by 11 U.S.C. § 1322(c)(2) with interest at the rate specified below as follows:					re the final
<u>Creditor</u> -NONE-	<u>Collateral</u>	Interest Rate	Estimated Claim		hly Paymt& Es	t. Term**

- Unexpired Leases and Executory Contracts. The debtor(s) move for assumption or rejection of the executory contracts and 6. leases listed below.
 - A. Executory contracts and unexpired leases to be rejected. The debtor(s) reject the following executory contracts.

Creditor -NONE-

Type of Contract

B. Executory contracts and unexpired leases to be assumed. The debtor(s) assume the following executory contracts. The debtor agrees to abide by all terms of the agreement. The Trustee will pay the pre-petition arrearages, if any, through payments made pro rata with other priority claims or on a fixed monthly basis as indicated below.

-NONE-				
Creditor	Type of Contract	Arrearage	Payment for Arrears	Estimated Cure Period
			Monthly	

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- 7. Liens Which Debtor(s) Seek to Avoid.
 - A. The debtor(s) move to avoid liens pursuant to 11 U.S.C. § 522(f). The debtor(s) move to avoid the following judicial liens and non-possessory, non-purchase money liens that impair the debtor(s)' exemptions. Unless a written objection is timely filed with the Court, the Court may grant the debtor(s)' motion and cancel the creditor's lien. If an objection is filed, the Court will hear evidence and rule on the motion at the confirmation hearing.

<u>Creditor</u> <u>Collateral</u> <u>Exemption Amount</u> <u>Value of Collateral</u>

B. Avoidance of security interests or liens on grounds other than 11 U.S.C. § 522(f). The debtor(s) have filed or will file and serve separate pleadings to avoid the following liens or security interests. The creditor should review the notice or summons accompanying such pleadings as to the requirements for opposing such relief. The listing here is for information purposes only.

<u>Creditor</u> <u>Type of Lien</u> <u>Description of Collateral</u> <u>Basis for Avoidance</u>

- 8. Treatment and Payment of Claims.
 - All creditors must timely file a proof of claim to receive payment from the Trustee.
 - If a claim is scheduled as unsecured and the creditor files a claim alleging the claim is secured but does not timely object to confirmation of the Plan, the creditor may be treated as unsecured for purposes of distribution under the Plan. This paragraph does not limit the right of the creditor to enforce its lien, to the extent not avoided or provided for in this case, after the debtor(s) receive a discharge.
 - If a claim is listed in the plan as secured and the creditor files a proof of claim alleging the claim is unsecured, the creditor will be treated as unsecured for purposes of distribution under the Plan.
 - The Trustee may adjust the monthly disbursement amount as needed to pay an allowed secured claim in full.
- **9. Vesting of Property of the Estate.** Property of the estate shall revest in the debtor(s) upon confirmation of the Plan. Notwithstanding such vesting, the debtor(s) may not sell, refinance, encumber real property or enter into a mortgage loan modification without approval of the Court after notice to the Trustee, any creditor who has filed a request for notice and other creditors to the extent required by the Local Rules of this Court.
- **10. Incurrence of indebtedness.** The debtor(s) shall not voluntarily incur additional indebtedness exceeding the cumulative total of \$5,000 principal amount during the term of this Plan, either unsecured or secured against personal property, except upon approval of the Court after notice to the Trustee, any creditor who has filed a request for notice, and other creditors to the extent required by the Local Rules of this Court.
- 11. Other provisions of this plan:
 - I. Payment of Adequate Protection
 - All adequate protection payments set forth in Section 3.C are to be paid through the Trustee.
 - The Debtor(s) shall pay regular post-petition contract payments to the creditors listed in Section 5.A., and such payments shall also constitute adequate protection payments to such creditors. Accordingly, the Trustee shall not pay adequate protection payments to creditors listed in Section 5.A.
 - No adequate protection payments are to be paid to any creditors unless the Plan provides for the payment of adequate protection of such claim(s) through the Trustee in Section 3.C. or directly by the Debtor(s) in Section 5.A., or unless the Court orders otherwise.
 - II. Direct Payments on Long-Term Debts to the Following Creditor(s):

Creditor: USD/GLELSI, OKSTUDLOAN. Great Lakes

Under 11 U.S.C. Section 1322(b)(5), since the last payment on the claim is due after the date on which the final payment under the plan is due, the debtor can maintain regular payments while in the plan.

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Signatures:			
Dated: Oct	tober 6, 2	010	_
/s/ Julie Ann Vil			/s/ Deanna H. Hathaway VSB Deanna H. Hathaway VSB 44150
Debtor			Debtor's Attorney
Exhibits:		f Debtor(s)' Budget (Schedules of Parties Served with Plan	; I and J);
			Certificate of Service
I certif Service List.	fy that on _	October 6, 2010 , I mailed	a copy of the foregoing to the creditors and parties in interest on the attached
			H. Hathaway VSB
		Deanna H. Signature	Hathaway VSB 44150
		P.O. Box 1 ^o Richmond,	1588 VA 23230-1588
		Address	
		(804) 358-9 Telephone I	

Ver. 09/17/09 [effective 12/01/09]

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United States Bankruptcy Court Eastern District of Virginia

In re	Julie	Ann Wilson			Case No.	10-36927-DOT
			Debt	or(s)	Chapter	13
		SPECIAL NOTIO	CE TO SE	CCURED CI	REDITOR	
To:		rown˙: 7 l ž̄5 HHB.˙A Ufg\ U'>"GW a]Xh East 91st Street; Tulsa, OK 74137				
	Name	of creditor				
		londa Accord with 53,000 miles				
	Descri	ption of collateral				
1.	The at	tached chapter 13 plan filed by the debtor(s	s) proposes (check one):		
		To value your collateral. <i>See Section 3</i> amount you are owed above the value of				
		To cancel or reduce a judgment lien or a Section 7 of the plan. All or a portion of				
	posed re	hould read the attached plan carefully for blief granted, unless you file and serve a wribjection must be served on the debtor(s), the	itten objectio	n by the date sp	pecified and appea	
			î`UhYf'k\Ub'g	YjYb`f⊫L'XUmg`	df]cfˈhcˈh\Y'WcbZ	
		and time of confirmation hearing:	_			@ 11:00 a.m
	Place	of confirmation hearing:	7	01 E. Broad St	., Room 5100, Ri	chmond, VA
				Julie Ann W		
				Name(s) of d	lebtor(s)	
			By:		H. Hathaway VSB	
				Deanna H. F Signature	lathaway VSB 44	150
				■ Debtor(s)'	Attorney	
				☐ Pro se deb		
				Deanna H. F	lathaway VSB 44	150
				Name of atto	orney for debtor(s)	
					588 VA 23230-1588	
					ttorney [or pro se	debtor]
					4) 358-9900	
				Fax # (804	4) 358-8704	

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CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing Notice and attached Chapter 13 Plan and Related Motions were served upon the creditor noted above by

aaaaa" first class mail in conformity with the requirements of Rule 7004(b), Fed.R.Bankr.P; or

aaZaa certified mail in conformity with the requirements of Rule 7004(h), Fed.R.Bankr.P

on this October 6, 2010 .

Isl Deanna H. Hathaway VSB
Deanna H. Hathaway VSB 44150
Signature of attorney for debtor(s)

Ver. 09/17/09 [effective 12/01/09]

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B6I (Official Form 6I) (12/07)

In re	Julie Ann Wilson		Case No.	10-36927-DOT	
		Debtor(s)			

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status:	DEPENDENTS OF D	EBTOR AND SPO	OUSE		
Divorced	RELATIONSHIP(S): None.	AGE(S):			
Employment:	DEBTOR	I	SPOUSE		
Occupation	Registered Nurse				
Name of Employer	VCU Medical Center				
How long employed	Since 03/14/2007				
Address of Employer					
	ge or projected monthly income at time case filed)		DEBTOR	ı	SPOUSE
	y, and commissions (Prorate if not paid monthly)	\$	5,899.81	\$	0.00
2. Estimate monthly overtime		\$	0.00	\$	0.00
3. SUBTOTAL		\$	5,899.81	\$	0.00
4. LESS PAYROLL DEDUC					
a. Payroll taxes and socia	al security	\$	1,773.42	\$	0.00
b. Insurance		\$	17.88	\$	0.00
c. Union dues	Can Datailed Income Attachment	\$	0.00	\$	0.00
d. Other (Specify)	See Detailed Income Attachment	<u> </u>	251.88	ъ	0.00
5. SUBTOTAL OF PAYROL	L DEDUCTIONS	\$	2,043.18	\$	0.00
6. TOTAL NET MONTHLY	TAKE HOME PAY	\$	3,856.63	\$	0.00
	tion of business or profession or farm (Attach detailed statemen	s	0.00	\$	0.00
8. Income from real property		\$	0.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	0.00
dependents listed above	support payments payable to the debtor for the debtor's use or the	nat of \$	0.00	\$	0.00
11. Social security or governm (Specify):	nent assistance	\$	0.00	\$	0.00
(Speen)).		- <u>\$</u> —	0.00	\$	0.00
12. Pension or retirement inco	ome	- <u> </u>	0.00	\$ 	0.00
13. Other monthly income		· —		· —	0.00
	and State Tax Refunds Amortized	\$	365.50	\$	0.00
		\$	0.00	\$	0.00
14. SUBTOTAL OF LINES 7	THROUGH 13	\$	365.50	\$	0.00
15. AVERAGE MONTHLY I	INCOME (Add amounts shown on lines 6 and 14)	\$	4,222.13	\$	0.00
16. COMBINED AVERAGE	MONTHLY INCOME: (Combine column totals from line 15)		\$	4,222.1	3

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

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B6I (Official Form 6I) (12/07)

In re	Julie Ann Wilson		Case No.	10-36927-DOT
		Debtor(s)		

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

Detailed Income Attachment

Other Payroll Deductions:

Dental	\$ 19.50	\$ 0.00
Ee Supp Life	\$ 42.25	\$ 0.00
Term Life	\$ 55.79	\$ 0.00
Parking	\$ 86.67	\$ 0.00
STD	\$ 28.95	\$ 0.00
LTS	\$ 18.72	\$ 0.00
Total Other Payroll Deductions	\$ 251.88	\$ 0.00

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B6J (Official Form 6J) (12/07)

In re	Julie Ann Wilson		Case No.	10-36927-DOT	
		Debtor(s)			

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22	2C.	
☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Comple expenditures labeled "Spouse."	ete a separat	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	1,200.00
a. Are real estate taxes included? Yes No _X_		
b. Is property insurance included? Yes NoX		
2. Utilities: a. Electricity and heating fuel	\$	250.00
b. Water and sewer	\$	45.00
c. Telephone	\$	0.00
d. Other See Detailed Expense Attachment	\$	313.94
3. Home maintenance (repairs and upkeep)	\$	0.00
4. Food	5	350.00 50.00
5. Clothing6. Laundry and dry cleaning	\$	35.00
7. Medical and dental expenses	Φ	375.00
8. Transportation (not including car payments)	\$	350.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$ 	150.00
10. Charitable contributions	\$	0.00
11. Insurance (not deducted from wages or included in home mortgage payments)	Ψ	
a. Homeowner's or renter's	\$	0.00
b. Life	\$	68.00
c. Health	\$	0.00
d. Auto	\$	75.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) Personal Property	\$	20.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)		
a. Auto	\$	0.00
b. Other Student Loan	\$	200.00
c. Other	\$	0.00
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other Haircuts and Personal Grooming	\$	40.00
Other Miscellaneous Expense	\$	150.00
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	\$	3,671.94
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:20. STATEMENT OF MONTHLY NET INCOME	_	
a. Average monthly income from Line 15 of Schedule I	\$	4,222.13
b. Average monthly expenses from Line 18 above	\$	3,671.94
c. Monthly net income (a. minus b.)	\$	550.19

Case 10-36927-DOT Doc 6 Filed 10/06/10 Entered 10/06/10 14:08:00 Desc Main Document Page 12 of 14 B6J (Official Form 6J) (12/07) In re Julie Ann Wilson Case No. **10-36927-DOT** Debtor(s) SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S) **Detailed Expense Attachment Other Utility Expenditures:** Cable, Internet & Telephone 172.04 **Cell Phone** 121.90 Trash Collection 20.00

Total Other Utility Expenditures

\$

313.94

Office of the US Trustee 701 E. Broad Street Room 4304 Richmond, VA 23219

Bank of America PO Box 15026 Wilmington, DE 19850-5026

Capital One PO Box 71083 Charlotte, NC 28272-1083

Chase Bank Mortgage Attn: Bankruptcy Dept 201 N. Central Avenue 11th Fl Phoenix, AZ 85004

Columbia Gas of Virginia Re: Bankruptcy PO Box 742529 Cincinnati, OH 45274-2529

Dillard's P.O. Box 981430 El Paso, TX 79998-1430

Great Lakes Dept. Of Education P.O. Box 530229 Atlanta, GA 30353

James K. Fredenberger 15100 Tomahawk Ridge Drive Midlothian, VA 23112

Judy Wilson P.O. Box 269 Webb City, MO 64870

Macys DSNB 911 Duke Blvd Mason, OH 45040 OKSTUDLOAN 4545 North Lincoln Boulevard Oklahoma City, OK 73105

OSLA P.O. Box 268885 Oklahoma City, OK 73126

OWU 2201 Silver Lake Road Bartlesville, OK 74006

Red Crown 5001 East 91st Street Tulsa, OK 74137

St. John's Medical Center Re: Billing Dept 1923 S. Utica Avenue Tulsa, OK 74104

SunTech
Re: Bankruptcy
384 Galleria Pkwy Suite 1
Madison, MS 39110-6844

USD/GLELSI P.O. Box 7860 Madison, WI 53704

WFNNB/Ann Taylor Attn: Bankruptcy Dept 220 W. Schrock Road Westerville, OH 43081

WFNNB/VS Attn: Bankruptcy Dept 220 W. Schrock Road Westerville, OH 43081